

Offeree:

Alfred Robert Gerebizza
c/o Benton Hall, Notary
3546 East Presidio Circle
Mesa, Arizona [85213]
Non-domestic without the U.S.
Phone: (480) 319-1552
Email: benton.private@gmail.com

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION

In RE:
UNITED STATES OF AMERICA

v.

Case No. 10 CR 651

DANIEL SPITZER and
ALFRED GEREBIZZA

FILED
MAR 21 2012
THOMAS G. BRUTON
CLERK, U.S. DISTRICT COURT

NOTICE

**FORGIVE ME REQUEST CONSTRUCTIVE NOTICE OF CONDITIONAL
ACCEPTANCE AND REQUEST TO CONTINUE PUBLIC PROCEEDINGS**
in Case No. 1:10-cr-00651-2, issued in UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION

Notice is hereby given that a **FORGIVE ME REQUEST CONSTRUCTIVE NOTICE OF
CONDITIONAL ACCEPTANCE AND REQUEST TO CONTINUE PUBLIC PROCEEDINGS**
regarding a "SUPERSEDING INDICTMENT" in Case No: 1:10-cr-00651-2, in the UNITED
STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, a copy
attached hereto as "EXHIBIT 1" is given to United States of America via Madeleine Murphy,
Assistant U.S. Attorney, c/o 219 South Dearborn Street, Suite 500, Chicago, IL 60604, this 14th
day of March A.D. 2012.

Executed without the United States in Cook County, Illinois Republic, this fourteenth
day of the third month in the year of our Lord, two-thousand and twelve.

In Witness Whereof, I have hereunto set my hand and seal.

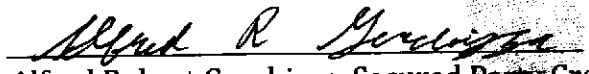

Alfred Robert Gerebizza, Secured Party Creditor
Executive Trustee for the Trust
ALFRED GEREBIZZA

EXHIBIT 1

CERTIFIED COPY
I hereby certify the foregoing document to which this seal has been affixed consisting of 05 pages(s) to be a complete, true and correct copy of the original on file and of record in the office of Benton Hall.

By: Benton Hall
Date: March 14, 2012

(THIS STAMP MUST BE RED)

Offeree:

Alfred Robert Gerebizza
c/o Benton Hall, Notary
3546 East Presidio Circle
Mesa, Arizona [85213]
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**THIS IS A PRIVATE COMMUNICATION BETWEEN THE PARTIES
NOTICE TO AGENT IS NOTICE TO PRINCIPAL--- NOTICE TO PRINCIPAL IS NOTICE TO
AGENT**

NOTICE

FORGIVE ME REQUEST

CONSTRUCTIVE NOTICE OF CONDITIONAL ACCEPTANCE AND REQUEST TO CONTINUE PUBLIC PROCEEDINGS

Date: *Nunc pro tunc* to March 12, 2012

To: Offeror:

United States of America
Via Madeleine Murphy, Assistant U.S. Attorney
c/o 219 South Dearborn Street, Suite 500
Chicago, IL 60604
Phone: (312) 886-2070
Email: madeleine.murphy@usdoj.gov
Service by: USPS "Certificate of Mailing" (PS Form 3817)

Re: Notice of a Pre-Trial Conference set for March 16, 2012 at 11:00 AM

Comes now Alfred Robert Gerebizza, as Authorized Representative for the Secured Party Creditor having a registered security interest in the collateral belonging to the Debtor-Defendant, ALFRED GEREBIZZA, and also accommodation party, hereinafter "Offeree". The Offeree is in receipt of a Notice of Pre-Trial

Conference set for March 16, 2012 at 11:00 AM, hereinafter "Offer", from United States of America via Madeleine Murphy, Assistant U.S. Attorney, c/o 219 South Dearborn Street, Suite 500, Chicago, IL 60604, hereinafter "Offeror".

The Offeree offers no excuse for being remiss in carrying out the Offeree's duties seasonably to resolve the matter. The Offeree has only two words for any inconvenience or offense the Offeree has caused "FORGIVE ME".

The Offeree conditionally accepts the Offeror's Offer upon proof of claim that:

Pending the completion of a second Private Administrative Process with the Offeror, and a third Private Administrative Process to resolve the underlying civil contempt that gave rise to the criminal charges in Case No. 1:10-cr-00651-2, in the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, hereinafter "Matter", that there is not a good likelihood to setoff, settle, and close Case No. 1:10-cr-00651-2, making the purpose of Offeror's Offer moot.

For this reason, the Offeree respectfully request that Offeror continue/stay any public proceedings for sixty (60) days with regard to the Matter pending the completion of the Private Administrative Records so as to save valuable public resources. Attached hereto and incorporated herein as if fully reproduced herein is an affidavit by the Offeree in support of this request showing that this request for continuance/stay is not meant for **harassment** or **delay**, and **will not prejudice** any of the parties to the Matter.

The Offeree will keep Offeror apprised of the progress of this Private Administrative Record and the Offeree hereby appoints Offeror for any appellate proceeding that might be necessary in the review of that Private Administrative Record if it becomes necessary.

Thank you for your assistance in this matter.


Authorized Representative

Please direct responses to third party public witness:

Alfred Robert Gerebizza
c/o Benton Hall, Notary
3546 East Presidio Circle
Mesa, Arizona [85213]
Non-domestic without the U.S
Phone: (480) 319-1552
Email: benton.private@gmail.com

cc:

Jason A. Yonan

c/o United States Attorney's Office (NDIL)
219 South Dearborn Street, Suite 500
Chicago, IL 60604
Phone: (312) 353-4156
Email: jason.Yonan@usdoj.gov

AUSA

United States Attorney's Office (NDIL)
219 South Dearborn Street, Suite 500
Chicago, IL 60604
Phone: (312) 353-5300
Email: USAILN.ECFAUSA@usdoj.gov

Chief Financial Officer

c/o UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION
219 South Dearborn Street
Chicago, IL 60604

CLERK OF COURT (Case No. 1:10-cr-00651-2)

c/o UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION
219 South Dearborn Street
Chicago, IL 60604

All serviced by: USPS "Certificate of Mailing" (PS Form 3817)

AFFIDAVIT OF SPECIFIC NEGATIVE AVERMENT

The Offeree Affiant, Alfred Robert Gerebizza, hereinafter "Affiant", does solemnly affirm, declare and state as follows:

1. Affiant is competent to state the matters set forth herein;
2. Affiant has knowledge of the facts stated herein;
3. All the facts herein stated are true, correct and complete, admissible as evidence. If called upon as a witness, Affiant will testify to their veracity;
4. There is no evidence that the Offeree is not a friend of THIS COURT, and Affiant believes none exists;
5. There is no evidence that does not come now Alfred Robert Gerebizza, as Authorized Representative for the Secured Party Creditor having a registered security interest in the collateral belonging to the Debtor-Defendant, ALFRED GEREBIZZA, and also accommodation party, hereinafter "Offeree". The Offeree is in receipt of a Notice of Pre-Trial Conference set for March 16, 2012 at 11:00 AM, hereinafter "Offer", from United States of America via Madeleine Murphy, Assistant U.S. Attorney, c/o 219 South Dearborn Street, Suite 500, Chicago, IL 60604, hereinafter "Offeror", and Affiant believes none exists;
6. There is no evidence that the Offeree does not offer any excuse for being remiss in carrying out the Offeree's duties seasonably to resolve the matter. The Offeree has only two words for any inconvenience or offense the Offeree has caused "FORGIVE ME", and Affiant believes none exists;
7. There is no evidence that pending the completion of a second Private Administrative Process with the Offeror, and a third Private Administrative Process to resolve the underlying civil contempt that gave rise to the criminal charges in Case No. 1:10-cr-00651-2, in the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION, hereinafter "Matter", that there is not a good likelihood to setoff, settle, and close Case No. 1:10-cr-00651-2, making the purpose of Offeror's Offer moot, and Affiant believes none exists;
8. There is no evidence that for this reason, the Offeree does not respectfully request that Offeror continue/stay any public proceedings for sixty (60) days with regard to the Matter pending the completion of the Private Administrative Records so as to save valuable public resources. Attached hereto and incorporated herein as if fully reproduced herein is an affidavit by

the Offeree in support of this request showing that this request for continuance/stay is not meant for **harassment** or **delay**, and **will not prejudice** any of the parties to the Matter, and Affiant believes none exists, and;

9. There is no evidence that the Offeree will not keep Offeror apprised of the progress of this Private Administrative Record and the Offeree hereby appoints Offeror for any appellate proceeding that might be necessary in the review of that Private Administrative Record if it becomes necessary.

Thank you for your assistance in this matter.

Commercial Affirmation and Verification

Cook County)
Illinois Republic) affirmed and subscribed:
United States of America)

I, Alfred Robert Gerebizza, Secured Party Creditor, under my unlimited liability and Commercial Affirmation, proceeding in good faith, being of sound mind, having first-hand knowledge, affirm, state, and declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

In Witness Whereof, I have hereunto set my hand and seal.


Alfred Robert Gerebizza, Secured Party Creditor
ALL RIGHTS RESERVED



NOTARY'S CERTIFICATE OF SERVICE

It is hereby certified that on the date noted below, the undersigned Notary mailed to:

United States of America
via **Madeleine Murphy, Assistant U.S. Attorney**
c/o 219 South Dearborn Street, Suite 500
Chicago, IL 60604
Phone: (312) 886-2070
Email: madeleine.murphy@usdoj.gov

cc:

Jason A. Yonan
c/o United States Attorney's Office (NDIL)
219 South Dearborn Street, Suite 500
Chicago, IL 60604
Phone: (312) 353-4156
Email: Jason.Yonan@usdoj.gov

AUSA
United States Attorney's Office (NDIL)
219 South Dearborn Street, Suite 500
Chicago, IL 60604
Phone: (312) 353-5300
Email: USAILN.ECFAUSA@usdoj.gov

Chief Financial Officer
c/o UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION
219 South Dearborn Street
Chicago, IL 60604

All serviced by: USPS "Certificate of Mailing" (PS Form 3817)

hereinafter, "Recipients," the documents and sundry papers pertaining to a certain notice of a Pretrial Conference set for March 16, 2012 at 11:00 AM in Case No. 1:10-cr-00651-2, in the UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF ILLINOIS EASTERN DIVISION as follows:

1. **NOTICE: FORGIVE ME REQUEST CONSTRUCTIVE NOTICE OF CONDITIONAL ACCEPTANCE AND REQUEST TO CONTINUE PUBLIC PORCEEDINGS** dated *nunc pro tunc* to March 12, 2012(5 leaves);
2. Reference copy of this **NOTARY'S CERTIFICATE OF SERVICE** dated March 14, 2012 (2 leaves).

These mailings contained a total of seven (7) leaves each. They were sent via the United States Postal Service under the control and direction of the USPS "Certificate of Mailing" (PS Form 3817) referenced above. The aforesaid mailings were placed in postpaid envelopes properly addressed to the Recipients. They were deposited at an official depository under the exclusive care and custody of the United States Postal Service within the State of Arizona.

March 14, 2012

DATE

Benton Hall
Notary

Benton Hall, Notary

3546 East Presidio Circle

Mesa, Arizona [85213]

Phone: (480) 319-1552

Email: benton.private@gmail.com

LEGAL NOTICE The Certifying Notary is an independent contractor and not a party to this claim. In fact the Certifying Notary is a Federal Witness Pursuant to TITLE 18, PART I, CHAPTER 73, SEC. 1512. *Tampering with a witness, victim, or an informant.* The Certifying Notary also performs the functions of a quasi-Postal Inspector under the Homeland Security Act by being compelled to report any violations of the U.S. Postal regulations as an Officer of the Executive Department. Intimidating a Notary Public under Color of Law is a violation of Title 18, U.S. Code, Section 242, titled "Deprivation of Rights Under Color of Law," which primarily governs police misconduct investigations. This Statute makes it a crime for any person acting under the Color of Law to willfully deprive any individual residing in the United States and/or United States of America those rights protected by the Constitution and U.S. laws.